

Public Workshop

Proposed Amendments to the Consumer Products Regulation

April 1, 2009



California Environmental Protection Agency

Air Resources Board

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Overview

- Background
- Proposed Amendments
 - Regulatory Timeline
 - Definitions
 - VOC Standards
 - Other Proposals
 - Toxics Prohibition
- Ongoing Activities
- Next Steps



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Background

- California Clean Air Act requires ARB to regulate consumer products
- Achieve the maximum feasible reduction in volatile organic compounds from consumer products
- Regulations must be technologically and commercially feasible
- Must not eliminate a product form
- Fulfill SIP commitments

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State Implementation Plan (SIP or State Strategy)

- 2007 SIP committed consumer products to 30-40 tpd VOC reductions
- Two additional sets of regulations:
 - Goal for 2008 rulemaking 10 to 20 tpd by 2010
 - 2nd rulemaking in 2010-2012 timeframe
 - Goal for 2010-2012 rulemaking 20 tpd by 2014
- Explore innovative reduction strategies

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State Implementation Plan (SIP or State Strategy)

- The 2008 regulations were approved by CARB in June 2008
 - 2008 rulemaking achieved a 5.8 tpd of VOC reductions
 - Reg package to OAL later this month
- Need additional 24 to 34 tpd VOC reductions to meet 2007 SIP commitment
- 2010 SIP coming – additional reduction commitments will be required

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Proposed Amendments to the Consumer Products Regulation June 2009



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Regulatory Timeline



Public Workshop.....	April 1, 2009
Public Workshop (if needed)....	Spring
Staff Report Released.....	May 8, 2009
2009 Board Hearing.....	June 25 - 26, 2009

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Proposed Amendments

- New & Modified Definitions
- VOC Limits
- Other Regulatory Proposals
 - Method 310 amendments
 - Special labeling and reporting requirements for Multi-purpose Solvents and Paint Thinners
 - Prohibition of “Extremely Flammable” Solvents and Thinners
 - Toxics prohibitions in two categories
 - Clarifying language

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Proposed New Category Definitions

- Paint Clean-up
- Industrial Maintenance Coating
- High-Temperature Coating
- Zinc-Rich Primer
- Extremely Flammable
- Flashpoint



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Proposed Modified Category Definitions

- Multi-purpose Solvent
- Paint Thinner
- Automotive Windshield Washer Fluid



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Evaluation Process

- Survey data
- Range of VOC content reported
- Product forms
- Technology transfer
- Recent research
- Non-VOC substitutions
- Dialogue with stakeholders
- Patent and literature searches



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Proposed Categories and VOC Standards

Product Category	Proposed VOC Limit (wt%)	Effective Date
Air Care		
Air Fresheners: Double Phase Aerosols	20	12/31/2012
Miscellaneous		
Multi-purpose Solvent Paint Thinner	Tier 1: 30 Tier 2: 3	12/31/2010 12/31/2013

Total VOC Reductions: 11.0+ tpd VOC

*Note: SCAQMD Rule 1143 reductions excluded and pending
Thinners & Solvents data verification

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Other Regulatory Proposals

- Clarifying language to Automotive Windshield Washer Fluid Definition
- Method 310
 - Analytical methods for products with high water content or low VOC content
 - VOC content calculations

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Consumer Products Compliance Testing Procedure

- Method 310 contains analytical methods for VOC compliance testing
- Current process generally begins with gravimetric analysis
- Most are familiar with this equation to calculate VOC content (for non-aerosol products):

$$\% \text{ VOC} = (\text{TV}-\text{A}-\text{H}-\text{EL}) \times 100$$

Where:

TV = weight fraction of non-propellant total volatile material

A = weight fraction of ammonia

H = weight fraction water

EL = weight fraction exempt compounds

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Other Regulatory Proposals (cont.)

- Labeling requirement for Multi-purpose Solvents and Paint Thinners
 - VOC content
 - Will enhance enforceability of regulation
- Special reporting requirements for Solvents and Thinners
 - To evaluate progress in developing low VOC products
 - March 31, 2012

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Other Regulatory Proposals (cont.)

- Prohibition of “Extremely Flammable” Multi-purpose Solvents and Paint Thinners
 - Mitigates potential flammability impacts
 - Effective Dec. 31, 2013
- Global Warming Potential (GWP) limit for Double Phase Aerosol Air Fresheners
 - Prohibiting chemical compounds with GWP value of 150 or greater

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Other Regulatory Proposals (cont.)

- Proposed revised subsection 94509(q) would prohibit the use of:
 - Perchloroethylene, Methylene Chloride, Trichloroethylene
- Prohibition would apply to:
 - Multi-purpose Solvent
 - Paint Thinner



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Ongoing Consumer Products Activities

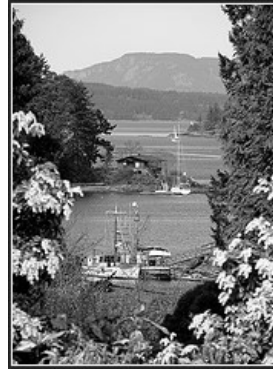


- 2006 Consumer & Commercial Products Survey
- Cleaning Products
- Dry Clean Only Spot Removers
- Nail Coatings Exposure Assessment
- Reactivity Program
- Greenhouse Gas Emissions Evaluations
- Paint Strippers

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2006 Consumer & Commercial Products Survey

- Released July 24, 2007
- Due November 21, 2007
- More than 500 completed surveys received
- Complete surveys currently in data entry process
- Expect data summaries to be released this Spring



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Cleaning Products

- Evaluation of potential adverse impacts from use of predicted reformulations used to comply with lower VOC limits
- Personal exposure
 - Developing health values
 - Must be peer-reviewed
- Water quality impacts assessment
 - Consultation with SWRCB
- Public review of impacts assessment
- Regulation amendments to follow completion of assessment
 - Mitigation measures if necessary

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Dry Clean Only Spot Removers

- Survey sent out January 14, 2009 and due February 27, 2009
- Survey data currently under review
- Bay Area Air Quality Management District adopted regulation affecting these products on March 4, 2009

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Nail Coatings Exposure Assessment

- Xylenes, toluene, dibutyl phthalate, formaldehyde from nail coatings used in salons
- Conducting modeling
 - Impact of single salon (large, medium, small)
 - Cumulative impacts from multiple salons in close proximity
- Assessing potential health risk to public

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Reactivity Program

- SAPRC 2007 chemical mechanism to derive MIR values
 - Developed by Dr. Carter, U.C. Riverside
 - Peer review complete
 - Reactivity Scientific Advisory Committee approved new mechanism
 - Proposal to amend scale later this year
- Work underway to improve analytical methods for aerosol coating products

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Greenhouse Gas Emissions Evaluations



- Categories under evaluation:
 - Tire Sealants and Inflators
 - Chewing Gum Remover
 - Other categories in 2003 or 2006 consumer products surveys

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Paint Strippers

- To be evaluated when 2006 Survey Data Summaries are available



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Next Steps

- Public workshop (if needed)
- Continue to confer with interested parties
- Finalize 2006 Survey Data Summaries
- Release staff report
May 8, 2009
- Board hearing in Sacramento
June 25-26, 2009



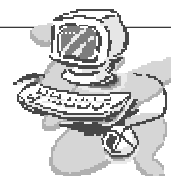
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Websites



- **Air Resources Board website:** <http://www.arb.ca.gov>
- **Consumer Products website:** <http://www.arb.ca.gov/consprod/consprod.htm>
- **Consumer Products Regulations website:** <http://www.arb.ca.gov/consprod/regs/regs.htm>
- **Consumer Products List Server website:** <http://www.arb.ca.gov/listserv/listserv.php>
- **2009 Consumer Products Regulation Amendments website:** <http://www.arb.ca.gov/consprod/regact/tscpwg/tscpwg.htm>
- **2006 Survey website:** <http://www.arb.ca.gov/consprod/regact/2006surv/2006surv.htm>
- **Climate Change Program website:** <http://www.arb.ca.gov/cc/cc.htm>

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